

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ABBOTT GMBH & CO., KG, AND
ABBOTT BIORESEARCH CENTER, INC.

Plaintiffs,

v.

CENTOCOR ORTHO BIOTECH, INC.,

Defendant.

Civil Action No. 4:09-cv-11340-FDS

Jury Trial Demanded

PLAINTIFFS' CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

The undersigned counsel and authorized representative of Plaintiffs Abbott GmbH & Co., KG ("Abbott GmbH") and Abbott Bioresearch Center, Inc. ("ABC") (collectively "Abbott") hereby certify that Abbott and its counsel have conferred and will continue to confer (a) with a view to establishing a budget for the cost of conducting the full course—and various alternative courses—of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

February 18, 2010

Respectfully submitted,

**ABBOTT GMBH & CO., KG, AND ABBOTT
BIORESEARCH CENTER, INC.**



Lydia N. Nenow
Patent Counsel
100 Abbott Park Road
Abbott Park, IL 60064-6008
Tel: (847) 938-0389
Fax: (847) 938-2623

**WILMER CUTLER PICKERING
HALE AND DORR LLP**



Nina S. Tallon (admitted *pro hac vice*)
Amy K. Wigmore (admitted *pro hac vice*)
Amy J. Nelson (admitted *pro hac vice*)
1875 Pennsylvania Avenue, NW
Washington, DC 20006
Tel: (202) 663-6000
Fax: (202) 663-6363

William F. Lee (BBO #291960)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, Massachusetts 02109
Tel: (617) 526-6000
Fax: (617) 526-5000

Robert J. Gunther, Jr. (admitted *pro hac vice*)
Jane M. Love (admitted *pro hac vice*)
Paul B. Keller (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
399 Park Avenue
New York, New York 10022
Tel: (212) 230-8800
Fax: (212) 230-8888

William W. Kim (admitted *pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
1117 California Avenue
Palo Alto, California 94304
Tel: (650) 858-6000
Fax: (650) 858-6100

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2010, I electronically filed the above document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Heather B. Repicky
hrepicky@nutter.com
NUTTER MCCLENNEN & FISH LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210

Dianne B. Elderkin
elderkin@woodcock.com
Barbara L. Mullin
mullin@woodcock.com
Matthew A. Pearson
mpearson@woodcock.com
John F. Murphy
jmurphy@woodcock.com
James V. Spencer
jspencer@woodcock.com
WOODCOCK WASHBURN LLP
Cira Centre, 12th Floor
2929 Arch Street
Philadelphia, PA 19104

/s/ William F. Lee
William F. Lee